

RÉSUMÉ

This master's thesis examines the legal institute of "Expropriation of Real Property", i.e. severe interference with the inalienable absolute right to own property, which is guaranteed by the Constitution of the Czech Republic as well as the European Convention for the Protection of Human Rights and Fundamental Freedoms. This thesis concentrates on the basic principles of the institute of "Expropriation", the current legal framework, its comparison to earlier institutes and to the institutes implemented in various EU member states; it also examines current and past court cases and analyses court rulings of all levels of jurisdiction dealing with the subject of "Expropriation". This thesis also comments on the current legal framework, indicates its potential problems and attempts to find a solution taking into account that there is hardly any literature covering the current legal framework and that there have not been many court rulings dealing with this subject in contemporary Czech history, which on the other hand gives enough space for the reasoning of the respective authors covering the given subject. Moreover, given the lack of the aforementioned sources, it is difficult to grasp the subject and come to grips with it properly. This offers a whole range of possible interpretations and differing opinions making it difficult to determine what is objectively right and what is only a subjective opinion of the author, with which one can argue or which one can claim to be erroneous straightaway. Public opinion on this matter also characterises the complexity of this subject. The apprehension of most people to sue the state or its bodies is at the root of the lack of court rulings and thereby creates substantial absence of foreseeability of the law for those currently concerned by "Expropriation" or those who will be so in future. Such absence of foreseeability of the law is highly undesirable, in particular, if we claim to live in a democratic country where the rule of law reigns. I hope that this thesis will be beneficial to all its readers and, in particular, will give the general public a better grasp of the subject matter. I would be delighted if this thesis met the expectations which have been vested in it. I strove for it not to disappoint and for it to make people think about the subject matter and generate discussion on the subject of "Expropriation of Real Property" in both the general public and the legal profession, because I am of the opinion that this subject deserves much more attention than it has been given so far.